

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

CMFG LIFE INSURANCE COMPANY,
CUMIS INSURANCE SOCIETY, and
MEMBERS LIFE INSURANCE COMPANY

Plaintiffs,

v.

Case No. 13-cv-00580

J.P. MORGAN SECURITIES, LLC, BEAR,
STEARNS & CO. (n/k/a J.P. MORGAN
SECURITIES, LLC), WAMU CAPITAL CORP.,
and J.P. MORGAN CHASE BANK, N.A. (as
successor-in-interest to WAMU CAPITAL CORP.
and WASHINGTON MUTUAL BANK),

Defendants.

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT

Defendants hereby move to dismiss with prejudice the Complaint filed in the above-captioned action by CMFG Life Insurance Company, CUMIS Insurance Society and MEMBERS Life Insurance Company (collectively, "CUNA") pursuant to Federal Rule of Civil Procedure 12(b)(6). CUNA's Complaint should be dismissed in its entirety with prejudice because CUNA's claims all either are time-barred, fail as a matter of law, or both. The grounds for this motion are set forth more fully in the concurrently filed memorandum of law.

Dated: November 8, 2013

Respectfully Submitted,

CRAVATH, SWAINE & MOORE LLP,

By

/s/ J. Wesley Earnhardt

Daniel Slifkin (*pro hac vice*)

J. Wesley Earnhardt (*pro hac vice*)

Worldwide Plaza

825 Eighth Avenue

New York, NY 10019

(212) 474-1000

dslifkin@cravath.com

wearnhardt@cravath.com

QUARLES & BRADY LLP,

By: Donald K. Schott (WBN 1010075)

Matthew J. Splitek (WBN 1045592)

33 East Main St, Ste 900

Madison, WI 53701

608-283-2426

don.schott@quarles.com

matthew.splitek@quarles.com

Attorneys for Defendants